

### **R E M A R K S**

Reconsideration of this application, as amended, is respectfully requested.

### **THE CLAIMS**

Claims 31, 33, 39 and 40 have been amended to clarify that the optically readable coded image is a two-dimensional optically readable coded image, as supported by the disclosure in the specification at, for example, page 10, line 10.

In addition, the claims have been amended to make some minor grammatical improvements and to correct some minor antecedent basis problems so as to put them in better form for issuance in a U.S. patent.

No new matter has been added, and it is respectfully requested that the amendments to the claims be approved and entered.

### **THE PRIOR ART REJECTION**

Claims 31-43 were rejected under 35 USC 103 as being obvious over previously cited USP 6,152,369 ("Wilz, Sr. et al") and newly cited USP 5,717,866 ("Naftzger"). This rejection, however, is respectfully traversed with respect to the claims as amended hereinabove.

Wilz, Sr. et al discloses a Web-based document tracking and management system, wherein a printed document such as a brochure, drawing, photograph, specification, blue-print or the like is uniquely assigned and affixed with a URL-encoded bar code. It is again respectfully pointed out, however, that in Wilz, Sr. et al each printed document is merely provided with a URL-encoded bar code that designates a particular information storage location within an HTML-encoded relational database management system (RDBMS). And it is again respectfully submitted that Wilz, Sr. et al does not specifically disclose what information is tracked and managed.

In addition, it is respectfully submitted that Wilz, Sr. et al does not disclose, teach or suggest comparing the interest taken by users in the same advertisement contained in a plurality of types of printed matter, as according to the claimed present invention.

Indeed, at the top of page 4 of the Office Action dated May 1, 2007, the Examiner acknowledges that Wilz, Sr. et al does not disclose the features of the claimed present invention wherein each of the plurality of different types of the printed matter includes a same advertisement, wherein the optically readable coded image is printed so as to correspond to each advertisement of each of the plurality of different types of the printed matter, and wherein the ID information includes at least

one of a title and type of the printed matter and information identifying the advertisement contained in the printed matter. For this reason, the Examiner has cited Naftzger as teaching these features of the claimed present invention.

Naftzger discloses printing a promotional code corresponding to each advertisement in a plurality of printed mediums, and then analyzing which medium (i.e., daily newspaper or weekly magazine) will appeal to consumers based on the number of accesses to the code. It is respectfully pointed out, however, that in Naftzger the promotional code itself is merely a set of numbers such as "123", and that this reference does not disclose, teach or suggest that the promotional code thereof can be a coded image or a bar code.

Accordingly, it is respectfully submitted that Naftzger and Wilz, Sr. et al are not properly combinable to achieve the structure of the claimed present invention for the following reasons. The object of Wilz, Sr. et al is to "track and manage" a document via a URL-encoded bar code, whereas the object of Naftzger is "marketing of an advertisement." In addition, it is respectfully pointed out that Wilz, Sr. et al discloses recording a URL only in a one-dimensional bar-code and that it would be extremely difficult to record the promotional code of Naftzger in the one-dimensional bar code as well since the recording capacity of the one-dimensional bar code has a fixed limit. As a result,

if the teachings of Wilz, Sr. et al and Naftzger were combined, a new technical problem of how to record the promotional code in the bar code would arise. In this connection, moreover, it is respectfully pointed out that as the number (types) of mediums increases, the more the amount of information required as a promotional code increases. Thus, it becomes more and more difficult to record the promotional code in the one-dimensional bar code. That is, when marketing of an advertisement is actually carried out, a considerable number (type) of mediums is necessary, and it becomes substantially difficult to record the promotional code in the one-dimensional bar code. Thus, when actual use is considered, it is unlikely that such a system could be realized, and in reality, the above technical problem would become a greater problem.

In summary, it is respectfully submitted that Wilz, Sr. et al does not disclose anything about utilizing a URL recorded in a bar code to compare the interest taken by users in the same advertisement contained in a plurality of types of printed matter, and that it would not have been reasonable for one of ordinary skill in the art to print the promotional code of Naftzger in the one-dimensional bar code.

In addition, it is respectfully pointed out that according to the present invention as recited in amended independent claims 31 and 40 the optically readable coded image is a two-

dimensional optically readable coded image, thereby providing a special advantage that an issuer of an advertisement can compare the interest taken by users in the same advertisement in the plurality of types of printed matters, and easily use the results for marketing research.

In view of the foregoing, it is respectfully submitted that the present invention as recited in amended independent claims 31 and 40 and claims 32-34, 36-39, and 41-43 depending therefrom clearly patentably distinguishes over Wilz, Sr. et al and Naftzger, taken singly or in combination, under 35 USC 103.

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Entry of this Amendment, allowance of the claims and the passing of this application to issue are respectfully solicited.

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned for prompt action.

Respectfully submitted,

/Douglas Holtz/

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